



Administration
& Management

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

October 12, 1989

ADMINISTRATIVE INSTRUCTION NO. 23

SUBJECT: Personnel Security Program and Civilian Personnel Suitability
Investigation Program

References: (a) Administrative Instruction No. 23, subject as above, February 25, 1986 (hereby canceled)
(b) DoD 5200.2-R, "Department of Defense Personnel Security Program," January 1987, authorized by [DoD Directive 5200.2](#), December 20, 1979
(c) [DoD Directive 5110.4](#), "Washington Headquarters Services," November 4, 1988
(d) Federal Personnel Manual, Chapter 731, "Personnel Suitability"
(e) through (h), see enclosure 1

1. REISSUANCE AND PURPOSE

This Administrative Instruction:

1.1. Reissues and updates reference (a).

1.2. Implements reference (b).

1.3. Assigns responsibilities and prescribes procedures for administering the Personnel Security Program (PSP) and the Civilian Personnel Suitability Program (CPSP) in the Office of the Secretary of Defense (OSD) and those activities serviced by the Director, Washington Headquarters Services (WHS), (DoD Directive 5110.4 (reference (c))).

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense (OSD), DoD Field Activities, and other activities serviced by WHS (hereafter referred to collectively as "Activities Serviced by WHS").

3. POLICY

The PSP, as supplemented by this Administrative Instruction, applies to all civilian employees, military assignees, detailees, consultants, experts, appointees, and members of commissions (hereafter referred to as "individuals"). The PSP shall be administered in accordance with DoD 5200.2-R (reference (b)). The CPSP shall be administered in accordance with the Federal Personnel Manual, Chapter 731 (reference (d)).

4. RESPONSIBILITIES

4.1. The Heads of OSD Components (Under Secretaries of Defense (USDs); Assistant Secretaries of Defense (ASDs); and Assistants to the Secretary of Defense (ATSDs)), or their designees, shall:

4.1.1. Determine the position sensitivity for all positions within their Component in accordance with subsection 5.4., below.

4.1.2. Ensure that all personnel within their organization are aware of the provisions of this Instruction.

4.2. The Director, Washington Headquarters Services (WHS), is responsible for implementing DoD 5200.2-R (reference (b)), and providing personnel security services to all activities serviced by WHS. This includes, for civilian personnel, issuing security clearances and exercising the authority for their denial, suspension, or revocation of security clearances as stated in DoD Directive 5110.4 (reference (c)). For military personnel, the Director, WHS, is authorized to suspend security clearances and to provide security clearance assurances. The Director, WHS, shall be responsible for implementing Federal Personnel Manual, Chapter 731 (reference (d)), regarding a civilian employee's suitability for employment with, or retention in, those activities serviced by WHS. The Director, WHS, shall be responsible for security

clearances of Congressional staff personnel for access to classified defense information when requested by Congressional committee chairpersons or individual U.S. Senators and members of Congress through the Assistant Secretary of Defense (Legislative Affairs) (ASD(LA)), as stated in DoD Directive 5142.1 (reference (e)). By memorandum, the Director, WHS, as authorized by reference (c), has delegated the foregoing responsibilities to the Director, Directorate for Personnel and Security (P&S), WHS.

4.3. The Director, Directorate for Personnel and Security (P&S), WHS, as delegated by the Director, WHS, shall direct the personnel security program and personnel suitability program through the Chief, Personnel Security Division (PSD) and the Chief, Staffing Branch. The Director, P&S, is hereby delegated the authority to suspend security clearances of military personnel and to suspend, deny and revoke clearances of civilian personnel.

4.4. The Chief, Personnel Security Division (PSD), P&S, shall:

4.4.1. Initiate investigative inquiries of Federal Agencies and/or a personnel security investigation appropriate to the designated position sensitivity after receiving a Notification of Incoming Personnel (NIP) from the Staffing Branch, the Military Personnel Division, the Senior Executive Service and Classification Division, or the Employee Career Development and Training Division.

4.4.2. Initiate investigations of Congressional staff personnel upon request of the chairperson of Congressional committees and individual senators and members of Congress through the ASD(LA) and, when appropriate, issue a security clearance under the criteria in DoD 5200.2-R (reference (b)).

4.4.3. Maintain security liaison with Government Agencies, including the White House, to obtain investigative information in their custody for investigative and adjudicative purposes.

4.4.4. Initiate investigations, and perform subsequent adjudication for collateral security clearances relevant to the nomination of personnel for special accesses, such as the Single Integrated Operational Plan-Extremely Sensitive Information (SIOP-ESI) and Sensitive Compartmented Information (SCI).

4.4.5. Implement the Periodic Reinvestigation Program as stated in DoD 5200.2-R (reference (b)).

4.4.6. Review, evaluate, and adjudicate background investigations,

counterintelligence reports, criminal investigations, security reports, and other types of investigative information germane to determining an individual's eligibility for access to classified information or suitability for appointment to a sensitive or nonsensitive position. When existing reports are insufficient for adjudicative purposes, supplemental investigations shall be initiated.

4.4.7. Grant appropriate security clearances when the requirements of reference (b) are met. When a security clearance or suitability decision is not within established guidelines for a favorable determination as stated in reference (b), a case analysis and recommendation shall be prepared and provided to appropriate management authorities.

4.4.8. Conduct requisite briefings and debriefings for individuals requiring special accesses (except SCI).

4.4.9. Evaluate the required written reports submitted by individuals who have had contacts with nationals of the designated countries listed in enclosure 2, attachment 2, for possible referral to the appropriate investigative agency.

4.4.10. Conduct exit debriefings, including execution of SD Form 416, "DoD Security Termination Statement," and special access debriefing statements, for departing OSD personnel.

4.4.11. Maintain active and inactive OSD security files. Security files inactive for 10 years shall be destroyed.

4.4.12. Certify security clearance data embodied in OSD visit certification letters prepared by activities serviced by the WHS for dispatch to industrial firms and Federal Agencies for classified visits.

4.4.13. Release security files, less investigative reports, for review by accredited investigators of other Federal Agencies.

4.4.14. Maintain a computerized database containing basic data on all active OSD-granted security clearances, including special accesses (except SCI).

5. POSITION SENSITIVITY AND SECURITY CLEARANCES

5.1. Civilian Personnel

5.1.1. Position Sensitivity. The certifying official stated in item 20 of the OF 8, "Position Description," shall exercise great care in designating the sensitivity of the position. The Office of Personnel Management (OPM) has established four levels of position sensitivity. These four levels and the criteria to be applied in designating the level of sensitivity are:

5.1.1.1. Nonsensitive (Position Sensitivity Designator is "0")

5.1.1.1.1. No access to classified information is required or authorized, and

5.1.1.1.2. None of the criteria listed below applies.

5.1.1.2. Noncritical-Sensitive (Position Sensitivity Designator is "1")

5.1.1.2.1. Access to SECRET or CONFIDENTIAL information.

5.1.1.2.2. Security police/provost marshal-type duties involving the enforcement of law and security duties involving the protection and safeguarding of DoD personnel and property.

5.1.1.2.3. Category II ADP positions. See DoD 5200.2-R, appendix K, for position sensitivity criteria.

5.1.1.2.4. Duties involving education and orientation of DoD personnel.

5.1.1.2.5. Duties involving the design, operation, or maintenance of intrusion detection systems deployed to safeguard personnel and property.

5.1.1.2.6. Any other position so designated by the individual authorized to make such designations.

5.1.1.3. Critical-Sensitive (Position Sensitivity Designator is "2")

5.1.1.3.1. Access to TOP SECRET information.

5.1.1.3.2. Development or approval of plans, policies, or programs that affect the overall operations of the Department of Defense or of a DoD

Component.

5.1.1.3.3. Development or approval of war plans, plans or particulars of future major or special operations of war, or critical and extremely important items of war.

5.1.1.3.4. Investigative and certain investigative support duties, the issuance of personnel security clearances or access authorizations, or the making of personnel security determinations.

5.1.1.3.5. Fiduciary, public contact, or other duties demanding the highest degree of public trust.

5.1.1.3.6. Duties falling under Special Access Programs. These are programs imposing "need to know" or access controls beyond those normally provided for access to CONFIDENTIAL, SECRET, or TOP SECRET information. Such a program may include, but not be limited to, special clearances, adjudication, investigative requirements, material dissemination restrictions, or special list of persons determined to have a need-to-know.

5.1.1.3.7. Category 1 automated data processing (ADP) positions. See (DoD 5200-2-R, appendix K, of reference (b)) for position sensitivity criteria.

5.1.1.3.8. Any other position so designated by the individual authorized to make such designations.

5.1.1.4. Special-Sensitive (Position Sensitivity Designator is "3")

5.1.1.4.1. Nominee requires access to Sensitive-Compartmented Information (SCI).

5.1.1.4.2. Nominee requires access to Single Integrated Operational Plan-Extremely Sensitive Information (SIOP-ESI).

5.1.1.4.3. Nominee shall occupy a Presidential Support, Category 1, position.

5.1.2. Security Clearance. A security clearance represents a determination that an individual meets the standards established in DoD 5200-2-R (reference (b)) for access to classified information. The type of investigation is dependent upon the

designated position sensitivity. Position investigative requirements are as follows:

5.1.2.1. Nonsensitive Positions (Position Sensitivity Designator "0"). Nominees for Nonsensitive positions, which require no security clearance, shall be required to submit the forms requisite to the initiation of a National Agency Check With Inquiries (NACI) as outlined in subsection 5.8., below. The NACI, which is conducted by the OPM, is the fundamental investigation for determining an individual's suitability for Federal civilian employment. Completion of a favorable NACI shall result in the issuance of an Office of the Secretary of Defense Certificate of Clearance, SD Form 176, "OSD Certificate of Clearance," stating NO CLEARANCE REQUIRED. The SD Form 176 shall be distributed and protected as outlined in subsection 5.9., below.

5.1.2.2. Noncritical-Sensitive Positions (Position Sensitivity Designator "1"). Nominees for Noncritical-Sensitive positions must, as a minimum, have had a favorable NACI completed before appointment. Nominees for these positions who have not had an NACI shall be required to promptly submit the forms required to initiate the NACI to the PSD as stated in subsection 5.8., below. Favorable adjudication shall result in the issuance of a Certificate of Clearance at the SECRET or CONFIDENTIAL level. The Certificate of Clearance shall be distributed and protected as stated in subsection 5.9., below.

5.1.2.3. Critical-Sensitive Positions (Position Sensitivity Designator "2"). Nominees for Critical-Sensitive positions must receive a favorable Background Investigation (BI) meeting the scoping requirements of DoD 5200.2-R (reference (b)) before being appointed. Nominees for these positions who have not had a BI shall be required to promptly complete and submit the forms required to initiate a BI to the PSD as outlined in subsection 5.8., below. Upon completion of the investigation, the PSD shall render an adjudication of the BI. Favorable adjudication shall result in the issuance of a Certificate of Clearance at the SECRET or TOP SECRET level. The Certificate of Clearance shall be distributed and protected as outlined in subsection 5.9., below.

5.1.2.4. Special-Sensitive Positions (Position Sensitivity Designator "3"). Nominees for Special-Sensitive positions are required to have a Special Background Investigation (SBI) meeting the scoping requirements of reference (b). Nominees for these positions who have not had an SBI, or whose SBI is out of date, shall be required to promptly complete and submit the forms required to initiate an SBI as outlined in subsection 5.8., below, to the PSD. Favorable adjudication shall result in the issuing of a Certificate of Clearance at the TOP SECRET level. The Certificate

of Clearance shall be distributed and protected as stated in subsection 5.9., below.

5.2. Military Personnel.

5.2.1. The investigative requirements for military personnel are contained in paragraph 3-401, DoD 5200.2-R (reference (b)). The position sensitivity designators in paragraph 5.1.1., above, are equally applicable to military personnel. However, the adjudicative responsibility for determining a military member's eligibility for access to classified information and the issuance of the Certificate of Clearance rests with the appropriate Military Department. Military clearance notification procedures for activities serviced by WHS are discussed in paragraph 5.9.2., below.

5.2.2. Military personnel, selected for assignment to activities serviced by WHS, should have the necessary investigation initiated by the losing activity prior to departure. If the military member arrives without the proper level of security clearance, and the losing activity has not requested the investigation, the PSD shall initiate the required investigation. However, the report of investigation shall be forwarded directly by the Defense Investigative Service (DIS) to the appropriate Military Department for adjudication and issuance of the security clearance. Security Managers of activities serviced by WHS are authorized to directly contact the Military Department's adjudication authority to determine the status of the clearance request. In an extreme emergency the PSD, upon written request by a senior official, may make a one-time inquiry of the Military Department Adjudication authority to determine the status of the clearance action.

5.3. Accounting for Designation of Sensitive Positions

5.3.1. To standardize and control the issuance of TOP SECRET clearances with the DoD, a specifically designated billet must be established and maintained for all civilian and military positions requiring access to TOP SECRET information. Only persons occupying these billets shall be authorized access to TOP SECRET information, on a need-to-know basis. Administrative Officers must insure that the procedures in paragraph 5.3.2., below, are followed. Without the position sensitivity designator and position number, hereafter referred to, inclusively, as billet number, the PSD will be unable to process any requests for the upgrading of security clearances, reassignment to other positions, or new hire processing.

5.3.2. Administrative Officers are responsible for incorporating billet sensitivity determination statements for each position in their OSD element. The information and procedures applicable to all positions regardless of whether designated

as civilian or military are:

5.3.2.1. Civilian Personnel. The position number and the position sensitivity for each authorized position in activities serviced by WHS are listed in the Master Organization Listing, formerly known as the "207 Report," under the column headings "POSITION NO" AND "POS SEN," respectively. Subparagraphs 5.1.1.1. through 5.1.1.4., above, establish the criteria to be applied by the certifying official in item 20 of the OF 8 in reaching a position sensitivity determination.

5.3.2.1.1. If the requirement is for access to TOP SECRET information then the position sensitivity designator becomes (2) (Critical-Sensitive) and (a), (access to TOP SECRET information). Accordingly, item 24 of the OF 8 shall contain the following entry: "This position is designated Critical-Sensitive as stated in subparagraph 5.1.1.3.1. of Administrative Instruction No. 23."

5.3.2.1.2. If the requirement is for access to Sensitive Compartmented Information then the basis for the position sensitivity designator becomes (3) (Special-Sensitive) and (a) (access to Sensitive Compartmented Information). Accordingly, item 24 of the OF 8 shall contain the following entry: "This position is designated Special-Sensitive as stated in subparagraph 5.1.1.4.1. of Administrative Instruction No. 23."

5.3.2.2. Military Personnel. The official signing block 19 of SD Form 37, "OSD request for Nomination and Position Description of Military Personnel" shall ensure that block 18 includes the position number. This number, if unknown, is contained in the "Military Staffing Plan," available in the Military Personnel Division, P&S. Additionally, using the position sensitivity designator in paragraph 5.1.1., above, the same official shall ensure THAT A STATEMENT GIVING THE BASIS MANNER DESCRIBED IN SUBPARAGRAPHS 5.2.1. and 5.2.2., ABOVE. If block 11 indicates a requirement for SCI access, then the position sensitivity designator in block 18 is "3."

5.4. Exceptions to Investigative Requirement for Appointment - Civilian Personnel. In an emergency, sensitive positions may be occupied by individuals not initially meeting the minimum investigative requirements for entry on duty, when concurred with by the Director, WHS.

5.4.1. Special-Sensitive and Critical-Sensitive Positions. When a USD, an ASD, and ATSD or equivalent, finds that a delay in an appointment would be harmful to the national security, that official may submit an original signed request to the

Director, WHS, requesting that a nominee be appointed to a Special-Sensitive or Critical-Sensitive position notwithstanding the lack of a completed favorable BI or SBI. In such instances, the applicant may be considered for appointment after completion of favorable adjudication of the National Agency Check (NAC) portion of the initiated BI/SBI.

5.4.2. Noncritical-Sensitive Positions. When a USD, an ASD, and ATSD or equivalent finds that a delay in an appointment would be harmful to national security, that official may submit an original signed request to the Director, WHS, requesting that a nominee be appointed to a Noncritical-Sensitive position notwithstanding the lack of a completed favorable NACI. In such instances, the applicant may be considered for appointment upon initiation of the NACI.

5.4.3. Approval/Disapproval. With the approval of the Director, WHS, when the Chief, PSD, finds that appointments requested under the above cited exceptions are acceptable, the PSD shall forward a written notice to the staffing office that submitted the NIP. When the Chief, PSD, finds that the request for appointment is to be considered only after completion of the required investigation, no written release shall be issued, and the nominee shall not be appointed or permitted to enter on duty until the investigation has been completed and adjudicated favorably.

5.5. Changes in Position Sensitivity. When the head, or designee, or an activity serviced by WHS determines that an individual's job requirements have evolved such that the position sensitivity requires an upgrading or downgrading, the Certifying Official in item 20 of the OF 8 shall submit a new OF 8 showing the new position sensitivity levels. Item 24 shall be completed in accordance with subparagraph 5.3.2.1., above. An information copy of the OF 8 shall be furnished to the Chief, PSD, by the Administrative Officer of the requesting activity, with an information copy to the Special Operations and Administrative Section (SOAS) P&S. Individuals who occupy positions requiring redesignation of position sensitivity shall complete and file with the PSD any forms identified by the PSD as germane to security clearance redesignation measures. No position sensitivity within activities serviced by WHS shall be upgraded within the first 6 months of the employee's assignment to the position for which he or she was selected or appointed initially without a substantial change in assigned duties warranting a higher level of security clearance.

5.6. Performance Statements. Together with regularly scheduled fitness and performance reports of military and civilian personnel whose duties entail access to classified information, the supervisor shall include either comment 1 or 2 from enclosure 2, attachment 4.

5.7. Security Debriefings. Individuals departing from activities serviced by WHS shall report to the PSD to complete the SD Form 416, "DoD Security Termination Statement," and any other debriefing statements relevant to specific special access programs to which they had access during their assignment. Individuals who occupied SCI billets shall report to their organizational Special Security Contact Officer (SSCO), before departure, to schedule a debriefing.

5.8. Required Investigative Forms. The forms required to conduct each of the various security investigations are listed below. After reviewing the completed forms, the PSD may require execution of additional forms related to investigative emphasis on a specific issue(s) identified through the forms package.

5.8.1. National Agency Check (NAC). Before the NAC is conducted, an original and one copy of DD Form 398-2, "Personnel Security Questionnaire (NAC)" and 2 copies of FD Form 258, "FBI Applicant Fingerprint Card," must be completed.

5.8.2. National Agency Check with Written Inquiries (NACI) (Noncritical-Sensitive Position). Before the NACI is done, an original and two copies of a SF 86, "Questionnaire for Sensitive Positions," must be completed; the forms must be typed and include correct ZIP codes of all addresses appearing on the form and all items must be carefully completed; one original and one copy of a fully executed SF 171, "Application for Federal Employment"; and three copies of SF 87, "U.S. Office of Personnel Management Fingerprint Chart," must be completed and submitted.

5.8.3. NACI (Nonsensitive Positions). Before the NACI is done an original and two copies of a SF-85, "Questionnaire for Non-sensitive Positions," must be completed; the form must be typed and include correct ZIP codes for all addresses appearing on the form and all items must be carefully completed; one original and one copy of a fully executed SF 171, "Application for Federal Employment"; and three copies of SF 87, "U.S. Office of Personnel Management Fingerprint Chart," must be completed and submitted.

5.8.4. DoD National Agency Check with Written Inquiries (DNACI). The DNACI requires the submission of an original and one copy of DD Form 398-2, two copies of FD Form 258 and an original DD Form 2221, "DoD Authority for Release of Information and Records."

5.8.5. Background Investigation (BI). The BI requires the submission of an

original and five copies of DD Form 398, "Personnel Security Questionnaire (BI/SBI)," two copies of FD Form 258, and an original DD Form 2221.

5.8.6. Special Background Investigation (SBI). The SBI requires the submission of an original and five copies of DD Form 398, two copies of FD Form 258 and an original DD Form 2221. Additionally, a DD Form 398-2 shall be submitted on the spouse and all immediate family members who are 18 years old or older and were born outside the U.S., regardless of citizenship.

5.8.7. Periodic Reinvestigation (PR). The PR requires the submission of an original and five copies of DD Form 398, covering the most recent 5-year period of the person's life, two copies of FD Form 258, and an original DD Form 2221.

5.9. Notification of Clearance

5.9.1. Civilian Personnel. An original signed copy of the SD Form 176, "OSD Certificate of Clearance," resulting from a favorable adjudication, shall remain in the PSD security file; one copy shall be forwarded to the appropriate administrative office, where it shall remain on file during the individual's entire tenure with the activity serviced by WHS; a second copy will be forwarded to the SOAS, DP&S, for insertion in the individual's Official Personnel Folder. Under no circumstances may any signed copy of the SD Form 176 be reproduced. The administrative office shall destroy its file copy upon the departure of the individual from the activity serviced by WHS.

5.9.2. Military Personnel. The adjudicative responsibility for determining a military member's eligibility for access to classified information and the issuance of the certificate of clearance rests with the appropriate Military Department. An original signed copy of a Memorandum with the results of the security clearance determination by the Military Department, shall remain in the PSD security file; one copy shall be forwarded to the appropriate administrative office, where it shall remain on file during the individual's entire tenure with the activity serviced by WHS; a second copy will be forwarded to the Military Personnel Division, P&S, for insertion in the individual's Official Personnel Folder. The administrative office shall destroy its file copy upon the departure of the individual from the activity serviced by WHS.

6. Periodic Reinvestigations (PR)

Each civilian employee, military member, and consultant or expert, occupying a Critical-Sensitive position, or a Noncritical-Sensitive position requiring special access

clearance shall be the subject of Periodic Reinvestigation conducted on a 5-year recurring basis. These individuals are required to complete the forms required to initiate the relevant PR, according to the following DoD procedures:

6.1. The PSD, shall send an initial memorandum to the individual requesting the security forms necessary for the PR. The suspense shall be 30 calendar days.

6.2. After the individual completes DD Form 398, the individual's immediate supervisor shall review it to determine if, to his or her knowledge, any significant adverse information has been excluded as outlined in enclosure 2, attachment 3.

6.2.1. Depending on the results of the review of the DD Form 398, the supervisor shall select one of the two statements at enclosure 2, attachment 4, for inclusion in item 18, "Remarks," of the DD Form 398.

6.2.2. If statement 2, applies, the supervisor must ensure that all relevant information is reported to the Chief, PSD, who shall take appropriate action.

6.3. If the forms have not been submitted to the PSD after 30 days, the Chief, PSD shall send a second memorandum with a copy of the initial notification through the senior supervising official, to the individual, advising him or her that the requested forms have not been received, and if the forms have not been received within 30 calendar days from the date of the second notification, action shall be initiated to suspend the individual's security clearance.

6.4. If the forms are not received within 30 calendar days of the second written request, the Director, P&S shall, within 10 calendar days, address a third memorandum to the individual through the appropriate official in subsection 4.1., above, ASD or equivalent, notifying the individual that his or her security clearance has been suspended. The memorandum shall:

6.4.1. Advise the individual as to the reason for the suspension.

6.4.2. Give the individual an opportunity to comply with the original request or furnish compelling reasons for failing to submit the required forms.

6.5. If the required security forms are not received within 30 calendar days of the date of suspension, action may then be taken to revoke the individual's clearance as outlined in the procedures in section 7., below.

7. UNFAVORABLE PERSONNEL SECURITY DETERMINATIONS

When the Director, P&S, has made a determination that it is in the national interest to deny or revoke a civilian employee's security clearance for access to classified information, the following unfavorable determination procedures shall apply:

7.1. The Director, P&S, shall give the individual a written statement of the reasons for the unfavorable determination. The statement shall be as comprehensive and detailed as the protection of sources under the Privacy Act of 1974 and national security permit, and shall provide the individual the opportunity to reply in writing to the Director, DP&S, within 30 days.

7.2. The Director, P&S, shall give the individual a reply to any written submission by the individual in reply to the initial statement of reasons stating the final reasons for the unfavorable action and shall cite the individual's opportunity to appeal in writing to the Director, WHS.

8. SUITABILITY DETERMINATIONS

8.1. Suitability requirements for civilian employment refer to an individual's character, reputation, trustworthiness, and fitness as related to his or her nomination for, or retention in, Federal employment as outlined in FPM, Chapter 731, (reference (d)).

8.2. Suitability determinations, when no adverse information is developed on nominees for employment in activities serviced by WHS, are made as stated in reference (d) and upon review and adjudication of the basic forms required of all applicants, existing records of other Federal Agencies, and reports of investigations initiated by the PSD and other Federal Agencies. A favorable suitability determination does not mean that the individual is eligible for a security clearance since suitability determinations are separate and distinct from security determinations. The focus in a suitability adjudication is on whether the employment or continued employment of an individual can reasonably be expected to promote the efficiency of the Federal Service. The focus of a security adjudication is on the more critical question of whether the employment or continued employment of the individual reasonably can be expected to be clearly consistent with the nation's security interest. Security adjudications are made subsequent to a favorable suitability adjudication and are based on standards and criteria that include the suitability standards and criteria.

9. SPECIAL ACCESSES

9.1. Some individuals may, while performing their official duties, need access to sensitive information generated within or custodially protected by offices conducting certain DoD programs. These programs may involve the handling of one or more of the following types of sensitive information: North Atlantic Treaty Organization (NATO); Single Integrated Operational Plan (SIOP); Critical Nuclear Weapons Design Information (CNWDI); and ATOMAL. Access to this information may be granted by heads of activities serviced by WHS or their designees, only after the Chief, PSD, approves an appropriate request and justification (except for special approval procedures cited below); the individual reads the relevant special access briefing; and the individual completes the briefing certificate. Requesting officials should include the termination date of the special access in any request. The holding of a special access does not automatically entitle the holder to all material bearing that special access designation. Organizational heads must determine need-to-know in all cases.

9.2. Special access authorizations shall occur in the following manner:

9.2.1. NATO. Refers to NATO classified information at the RESTRICTED, CONFIDENTIAL, and SECRET levels. "COSMIC" refers to NATO classified information at the TOP SECRET level. Access to NATO and COSMIC classified information shall require a written request and justification prepared by the nominating official and forwarded in the original to the Chief, PSD. Personnel who require access to NATO classified information first must be cleared for access to an equivalent level of U.S. classified information (access to NATO RESTRICTED requires a CONFIDENTIAL clearance). Upon a determination that the nominee meets the investigative criteria for NATO access, the nominee shall be given an appointment in the PSD for reading of the NATO briefing and execution of the briefing certificate. This shall establish the individual's eligibility for special access. Execution of the debriefing certificate in the PSD is required upon termination of the individual's need for access, or departure from an activity serviced by WHS.

9.2.2. ATOMAL. "Restricted Data" or "Formerly Restricted Data." The requirements for the appropriate level of security clearance, requesting, briefing, and debriefing for ATOMAL special access are essentially the same as those outlined in paragraph 9.2.1., above.

9.2.3. Critical Nuclear Weapons Design Information (CNWDI). This

applies to TOP SECRET Restricted Data or SECRET Restricted Data revealing the theory of operation or design of the components of a thermonuclear or implosion-type fission bomb, warhead, demolition munition, or test device. Access to and dissemination of CNWDI is of particular concern to the Department of Defense. Because of the extreme sensitivity of this type of information, access must be limited to the absolute minimum number of individuals who need it to accomplish their assigned responsibilities. The requirements for the appropriate level of security clearance, reporting, briefing, and debriefing are the same as those outlined in paragraph 9.2.1., above. Requests for access to CNWDI must be addressed to the Assistant to the Secretary of Defense (Atomic Energy) (ATSD(AE)), who shall inform the Chief, PSD, of access approval or disapproval.

9.3. Individuals requiring access to Sensitive Compartmented Information(SCI) while performing their official duties are nominated for this access by the SSCO within their organization. All inquiries regarding billeting procedures, status of requests for SCI access, briefing procedures, compelling need justifications, transfer-in-status of existing access, and justifications for access shall be directed to the SSCOs. The identity and location of each SSCO may be determined by consulting each component's administrative office. The granting authority for access to SCI is the Defense Intelligence Agency (DIA).

9.3.1. After the SSCO notifies the PSD that an individual has been nominated for SCI access, the PSD shall conduct a review of the nominee's investigative history and determine whether further investigation is required. Nominees for SCI access shall require, at the minimum, a current TOP SECRET clearance and a favorable SBI completed within the past 5 years. When the PSD determines that an SBI is required, a request for the appropriate investigative forms shall be forwarded to the SSCO. The nominee shall complete the security forms within 30 days of receipt, request an appointment for a pre-SBI interview, and report with the forms to the PSD after being provided with appointment information. Upon completion of a favorable SBI, the PSD shall forward the security file to the DIA for adjudication of the SCI request.

9.3.2. The SSCO shall advise those individuals approved for SCI access of the procedures to follow for access briefings and debriefings within the DIA. All "Compelling Need" access requests shall be tendered to the SSCOs as shall requests for temporary access.

10. Security Clearance Verifications

10.1. Within Activities Serviced by WHS. Offices requiring verification of the security clearance held by an individual before divulgence of classified information to that individual in the course of official business, may secure the verification by telephoning the PSD. Written verification is not required. Offices wishing to verify the clearance of an individual in their activity must secure these verifications by calling their respective administrative office.

10.2. Contractors.

10.2.1. Visit Requests. Representatives of industrial firms who require access to classified defense information for conducting of contractual business must have a visit request issued by their facility security officer on file within the activity to be visited. The firm shall address the visit request to the specific office to be visited DoD 5220.22-R, paragraph 3-202 (reference (f)). The office to be visited shall retain the verification on file until the cited date of expiration, not to exceed 1 year. Visit requests should be examined closely to ensure that they include the minimum information required by reference (f). (A description of this information appears at enclosure 2, attachment 5.)

10.2.2. Building Passes. When the activity visited by a contractor determines it advantageous to the OSD to issue a DoD building pass to a contractor meeting the requirements of Administrative Instruction No. 30 (reference (g)), the activity security manager shall provide the contractor with a completed DD Form 2249, "DoD Building Pass Request." The data required by the form shall be drawn from the visit request as stated in subsection 10.2., above. The contractor shall complete DD Form 2249 and submit it to the Building Pass Branch, Physical Security Division, Room 2E170A, Pentagon Concourse, for issuance of a DoD building pass.

10.3. Representatives of Other Federal Agencies. The procedures for retention and retrieval of security clearance data on representatives of other Federal Agencies who visit activities serviced by WHS that require the divulgence of classified defense information are the same as those outlined under subsection 10.2., above. Building pass issuance procedures are the same as those cited in paragraph 10.2.1., above.

10.4. Visits by Persons of Activities Serviced by WHS to Other Federal Agencies and Contractor Facilities. Federal Agencies and cleared contractor facilities must be notified in advance before a person with a clearance is permitted entry to conduct business requiring the handling or discussion of classified information. A letter shall be prepared by the person's office requesting approval to visit the Agency or facility

and shall include the information contained in enclosure 2, attachment 6. The letter shall be prepared in duplicate and have an addressed, franked envelope, fully prepared in accordance with postal processing requirements as implemented by the Director for Correspondence and Directives, attached to it. The letter shall be fully addressed to the recipient organization. After PSD receives the letter, the PSD shall provide a verifying signature certifying the claimed security clearance(s), and shall mail the letter. As an exception, visit notices transmitted by electrical means do not require PSD notification, approval, or coordination.

10.4.1. Telephone Requests. If the letter requests that the information be conveyed by telephone, the letter must be visibly labeled for expeditious handling and hand-delivered to the PSD, not less than 2 full workdays before the projected date of the visit, and must contain the name and telephone number, including area code, of the specific security office to be contacted. The PSD cannot guarantee that the information will be forwarded by telephone without two full workdays notice.

10.4.2. Department of Energy (DoE) visits. Representatives from activities serviced by WHS shall submit a completed original DoE Form F 5631.20 "U.S. Department of Energy Request for Visit or Access Approval," before visiting DoE elements to work on classified information, including in some instances CNWDI, or, as may be designated by the receiving DoE entity, "SIGMA" information (enclosure 2, attachment 7). An addressed, franked envelope shall be attached to the DoE Form F 5631.20. The representative must also be cleared by PSD, WHS. The title of the initiating official to be entered on the DoE Form F 5631.20 must be a DoD official authorized to request access to DoE information for DoD personnel as listed in DoD 5210.2 (reference (h)). When the visit to a DoE element by a representative of an activity serviced by WHS requires access to CNWDI or "SIGMA" information, the representative must have been made eligible previously for access to such information under the procedures described in paragraph 9.2.3., above. The DoE Form F 5631.20 must state the date of this access eligibility in addition to normal security clearance data.

11. Foreign Intelligence Collection Efforts

Individuals should be aware of their potential as targets of hostile intelligence services. Soviet and other Communist-controlled and hostile nation representatives are known to make detailed reports to their governments on all contacts with Western nationals and, on occasion, to exploit these contacts for their own purposes. The protection of the individual and the value of a record of their contacts with such

foreign elements and appropriate security education regarding these contacts is self-evident.

11.1. Individuals holding Top Secret (TS) or TS/SCI who are contemplating traveling to any foreign country or who have contact in any setting within the United States or elsewhere with representatives of the designated countries listed in enclosure 2, attachment 2, are required to take the following steps: Before traveling, the person shall submit to the PSD a written notice of the intended travel, identify the country and cities to be visited, and the length of stay; and shall report to the PSD for a Foreign Travel Briefing by a security specialist and processing of the appropriate briefing certificate. Travel to contiguous, non-designated countries may be reported after the fact. Individuals cleared at the Secret or Confidential levels only are required to report designated country travel only.


11.2. Upon return from travel to or through designated countries, the person shall prepare a written report for the Chief, PSD, including, as a minimum, the date and place of any unusual approach(es) by designated country individuals, an identification of the national(s) whenever possible, and a description of the approach. Contacts limited to normal travel interactions and innocuous conversations are of no reportable value, but the travel itinerary should be reported.

11.3. Individuals anticipating contact with representatives of designated countries within the United States or within nations friendly to the United States shall report such contact to the PSD and prepare the report cited in subsection 11.2., above. The report shall also be prepared after any unexpected contacts.

11.4. When an individual suspects approach by a representative of a hostile intelligence service intended to secure, or solicit the securing of, U.S. information, whether classified or unclassified, or for any other purpose, the Chief, PSD, shall be notified immediately.

12. EFFECTIVE DATE

This Instruction is effective immediately,


D.G. Cooke, Director
Administration and Management

Enclosures - 2

E1. References, continued

E2. Personnel Security Program and Civilian Personnel Suitability Program
Information

E1. ENCLOSURE 1

REFERENCES, continued

- (e) [DoD Directive 5142.1](#), "Assistant Secretary of Defense (Legislative Affairs)," July 2, 1982
- (f) DoD 5220.22-R, "Industrial Security Regulation," December 1985, authorized by [DoD Directive 5220.22](#), December 8, 1980
- (g) [Administrative Instruction No. 30](#), "Building Security for the Pentagon," July 28, 1982
- (h) DoD Directive 5210.2, "Access to and Dissemination of Restricted Data," January 12, 1978

E2. ENCLOSURE 2

PERSONNEL SECURITY PROGRAM AND CIVILIAN PERSONNEL
SUITABILITY PROGRAM INFORMATION

Attachments - 7

- E2.A1. List of Designated Countries
- E2.A2. Extract from Appendix E, DoD 5200.2-R, "Reporting of Nonderogatory Cases"
- E2.A3. Extract from Chapter 2, DoD 5200.2-R, "Criteria for Application of Security Standards"
- E2.A4. Supervisor's Statement
- E2.A5. Minimal Requirements for Sufficiency of Requests for Classified Visits by Contractors to the Office of the Secretary of Defense and Activities Serviced by Washington Headquarters Services
- E2.A6. Visit Certification Request
- E2.A7. DoE form DoE F 5631.20, U.S. Department of Energy Request for Visit or Access Approval

E2.A1. ATTACHMENT 1 TO ENCLOSURE 2LIST OF DESIGNATED COUNTRIES*

<u>COUNTRY OR AREA</u>	<u>APPROXIMATE CONTROL DATE</u>
Afghanistan	April 1978
Albania	January 1946
Angola	November 1975
Berlin (Soviet Sector)	April 1946
Bulgaria	October 1946
Cambodia (Kampuchea)	April 1975
Cuba	December 1960
Czechoslovakia	February 1948
Estonia	June 1940
Ethiopia	September 1974
German Democratic Republic (East Germany)	April 1946
Hungarian People's Republic (Hungary)	June 1947
Iran	February 1978
Iraq	July 1958
Democratic People's Republic of Korea, (North Korea)	September 1945
Laos	June 1977
Latvia	June 1940
Libyan Arab Republic	September 1969
Mongolian People's Republic (Outer Mongolia)	
Nicaragua	July 1979
People's Republic of China (including Tibet)	January 1949
Poland	February 1947
Rumania	December 1947
Southern Yemen	June 1969
Syria	February 1958
Union of Soviet Socialist Republics	October 1922
Democratic Republic of Vietnam (North Vietnam)	December 1946
South Vietnam	April 1975
Yugoslavia	November 1945
Kurile Islands and South Sakhalin (Karafuto)	September 1945

* See Appendix G., DoD C-5102.21-M-1.

E2.A2. ATTACHMENT 2 TO ENCLOSURE 2

EXTRACT FROM APPENDIX E, DoD 5200.2-R, "REPORTING OF
NONDEROGATORY CASES"

Background Investigation (BI) and Special Background Investigation (SBI) shall be considered as devoid of significant adverse information unless they contain information listed below:

1. Incidents, infractions, offenses, charges, citations, arrests, suspicion or allegations of illegal use or abuse of drugs or alcohol, theft or dishonesty, unreliability, irresponsibility, immaturity, instability or recklessness, the use of force, violence, or weapons; or actions that indicate disregard for the law due to multiplicity of minor infractions.
2. All indications of moral turpitude; heterosexual promiscuity; aberrant, deviant, or bizarre sexual conduct or behavior, transvestitism, transsexualism, indecent exposure, rape, contributing to the delinquency of a minor, child molestation, wife-swapping, window-peeping, and similar situations from whatever source. Unlisted full-time employment or education; full-time education or employment that cannot be verified by any reference or record source or that contains indications of falsified education or employment experience. Records or testimony of employment, education, or military service where the individual was involved in serious offenses or incidents that would reflect adversely on the honesty, reliability, trustworthiness, or stability of the individual.
3. Foreign travel, education, visits, correspondence, relatives, or contact with persons from or living in a designated country (Appendix H).
4. Mental, nervous, emotional, psychological, psychiatric, or character disorders/behavior or treatment reported or alleged from any source.
5. Excessive indebtedness, bad checks, financial difficulties or irresponsibility, unexplained affluence, bankruptcy, or evidence of living beyond the individual's means.

6. Any other significant information relating to the criteria included in a. through q. of paragraph 2-200 or Appendix I of this Regulation.

E2.A3. ATTACHMENT 3 TO ENCLOSURE 2

EXTRACT FROM CHAPTER 2, DoD 5200.2-R, "CRITERIA FOR APPLICATION
OF SECURITY STANDARDS"

2-200 Criteria for Application of Security Standards.

The ultimate decision in applying either of the security standards set forth in paragraphs 2-101 and 2-102 above must be an overall common sense determination based upon all available facts. The criteria for determining eligibility for a clearance under the security standard shall include, but not be limited to the following:

- a. Commission of any act of sabotage, espionage, treason, terrorism, anarchy, sedition, or attempts thereat or preparation therefor, or conspiring with or aiding or abetting another to commit or attempt to commit any such act.
- b. Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, terrorist, revolutionist, or with an espionage or other secret agent or similar representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or to alter the form of Government of the United States by unconstitutional means.
- c. Advocacy or use of force or violence to overthrow the Government of the United States or to alter the form of Government of the United States by unconstitutional means.
- d. Knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in any foreign or domestic organization, association, movement, group or combination of persons (hereafter referred to as organizations) which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the U.S. or of any State or which seeks to overthrow the Government of the U.S. or any State or subdivision thereof by unlawful means.
- e. Unauthorized disclosure to any person of classified information, or of other information, disclosure of which is prohibited by Statute, Executive Order or Regulation.
- f. Performing or attempting to perform one's duties, acceptance and active maintenance of dual citizenship, or other acts conducted in a manner which serve or

which could be expected to serve the interests of another government in preference to the interests of the U.S.

g. Disregard of public law, Statutes, Executive Orders or Regulations including violation of security regulations or practices.

h. Criminal or dishonest conduct.

i. Acts of omission or commission that indicate poor judgment, unreliability or untrustworthiness.

j. Any behavior or illness, including any mental condition, which, in the opinion of competent medical authority, may cause a defect in judgment or reliability with due regard to the transient or continuing effect of the illness and the medical findings in such case.

k. Vulnerability to coercion, influence, or pressure that may cause conduct contrary to the national interest. This may be (1) the presence of immediate family members or other persons to whom the applicant is bonded by affection or obligation in a nation (or areas under its domination) whose interests may be inimical to those of the U.S., or (2) any other circumstances that could cause the applicant to be vulnerable.

l. Excessive indebtedness, recurring financial difficulties, or unexplained affluence.

m. Habitual or episodic use of intoxicants to excess.

n. Illegal or improper use, possession, transfer, sale or addiction to any controlled or psychoactive substance, narcotic, cannabis or other dangerous drug.

o. Any knowing and willful falsification, coverup, concealment, misrepresentation, or omission of a material fact from any written or oral statement, document, form or other representation or device used by the Department of Defense or any other Federal agency.

p. Failing or refusing to answer or to authorize others to answer questions or provide information required by a congressional committee, court, or agency in the course of an official inquiry whenever such answers or information concern relevant and material matters pertinent to an evaluation of the individual's trustworthiness, reliability, and judgment.

q. Acts of sexual misconduct or perversion indicative of moral turpitude, poor judgment, or lack of regard for the laws of society.

E2.A4. ATTACHMENT 4 TO ENCLOSURE 2

SUPERVISOR'S STATEMENT

In conjunction with the submission of a periodic reinvestigation to Defense Investigative Service (DIS), one of the following statements must be executed by the subject's immediate supervisor in Item 18, "Remarks" of the DD Form 398:

- 1) I am aware of no information of the type contained in Appendix E, DoD 5200.2-R, relating to subject's trustworthiness, reliability, or loyalty that may reflect adversely on his/her ability to safeguard classified information.

Signature _____ Date _____

- 2) I am aware of information of the type contained in Appendix E, DoD 5200.2-R, relating to subject's trustworthiness, reliability or loyalty that may reflect adversely on his/her ability to safeguard classified information and have reported all relevant details to the appropriate security official.

Signature _____ Date _____

E2.A5. ATTACHMENT 5 TO ENCLOSURE 2

MINIMAL REQUIREMENTS FOR SUFFICIENCY OF REQUESTS FOR
CLASSIFIED VISITS BY CONTRACTORS TO THE OFFICE OF THE
SECRETARY OF DEFENSE AND ACTIVITIES SERVICED BY WASHINGTON
HEADQUARTERS SERVICES

Requests for visits shall be furnished in writing to the specific office being visited in advance of the proposed visit. Under no circumstances may visitors hand-carry their own visit requests to the office being visited.

All requests shall contain at least the following information:

E2.A5.1.1. Name and address of the office to be visited.

E2.A5.1.2. Name and title of person(s) to be visited.

E2.A5.1.3. Name of the proposed visitor, his or her date and place of birth, and citizenship (immigrant aliens should so indicate).

E2.A5.1.4. Job title or position of the proposed visitor.

E2.A5.1.5. Certification by the requesting entity's security office of the security clearance level of the proposed visitor.

E2.A5.1.6. The purpose and justification for the visit in sufficient detail to allow for a determination on the necessity of the visit, to include relevant contract, project or program number or name.

E2.A5.1.7. A statement from the contracting officer that the release of classified information is required in connection with the specified contract, project or program shall be attached to the request; as an exception, a visit request may be submitted directly to the OSD office to be visited without a statement from the contracting officer when the classified information to be disclosed and the determination as to the contractor's need for such access is known to be a responsibility of the office to be visited.

E2.A5.1.8. Date or period during which the request is to be valid, not to exceed one year.

E2.A5.1.9. Name and address of requesting entity.

E2.A5.1.10. Certification by the contractor security office of the contractor's facility clearance.

E2.A5.1.11. Address and telephone number of the requesting entity's security office.

NOTE: Activities serviced by WHS anticipating contractor visits involving the disclosure of intelligence information should contact the Special Security Contact Officer within their organization for guidance as to the requirements for the visits.

E2.A6. ATTACHMENT 6 TO ENCLOSURE 2

OSD VISIT CERTIFICATION REQUEST

(Personnel & Security)

Date:

This certifies to the security clearance of the following U.S. citizens who will visit facilities according to the following itinerary:

<u>VISITORS NAME & SSN</u>	<u>OFFICE</u>	<u>CLEARANCE</u>
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Facility to be visited:

Person to be contacted:

Period of visit:

Purpose of visit:

This certifies that subject visitor(s)
hold(s) claimed security clearance level.

R.G. DeRitis
Chief, Personnel Security Division

E2.A7. ATTACHMENT 7 TO ENCLOSURE 2

DoE Form DoE F 5631.20, "U.S. Department of Energy Request for Visit or Access Approval"

DOE F 5631.20
(3-83)
(Formerly DP-277)U.S. DEPARTMENT OF ENERGY
REQUEST FOR VISIT OR ACCESS APPROVAL
(Not to be used for temporary or permanent personnel assignments.)OMB Approval
No. 1910-1800

PART "A"

To:

Date:

From:

Prepared by:

Symbol:

Telephone No.—Commercial:

It is requested that the following person(s) be granted visit/access approval:

FTS:

LAST NAME, FIRST, MIDDLE INITIAL AND SOCIAL SECURITY NUMBER	CROSS		DATE OF BIRTH	ORGANIZATION	TYPE CLEARANCE	CLEARANCE NO.	DATE OF CLEARANCE
	U.S. CITIZEN	ALIEN					
NAME OF FACILITY(IES) TO BE VISITED:				FOR THE INCLUSIVE DATES	DOE Security Official Verifying DOE Clearance		

FOR THE PURPOSE OF:

TO COMPEL WITH THE FOLLOWING PERSON(S):

SPECIFIC INFORMATION TO WHICH ACCESS IS REQUESTED:

Access requested to:
Restricted Data ☐ Yes ☐ No
Other classified info ☐ Yes ☐ No

rior arrangements have/have not been made as follows:

CERTIFICATION FOR PERSONNEL HAVING DOD CLEARANCE

This certifies that the person(s) named above needs this access in the performance of duty and that permitting the above access will not endanger the common defense and security.

Authorized access to Critical Nuclear Weapon
Design Information (CNWDI) in Accordance
with DOD Directive 5210.2 ☐ Yes ☐ No

Name and Title, Requesting DOD Official

Title, Authorizing DOD Official
(See DOD Directive 5210.2 and 5210.8)Signature
(See AR 380-150; OPNAV 5510.3F; AFR 2105-1)

CERTIFICATION FOR PERSONNEL HAVING DOE CLEARANCE

This certifies that the person(s) named above needs this access in the performance of duty.

Title

Requesting DOE or Other Government Agencies

PART "B"

Approval is granted with limitations indicated below:

Manager of Operations for Headquarters Division Director

SEE REVERSE OF PART 5 FOR PRIVACY ACT INFORMATION STATEMENT